

So I think at this point we've got something that is satisfactory to the people concerned like Senator Lamb and myself about people evading convictions under the DWI statutes and at the same time, providing some of the flexibility that Senator Hall was concerned about. So I would ask Senator McFarland to withdraw the amendment and let's proceed with the bill. We've worked on it, we've agreed to it and there is a compromise from both sides that I think is an agreeable one.

PRESIDENT: Senator Chambers, please.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, I have a question that I think ought to be considered while we're discussing this. The new language, and I found a problem with it when Senator Hall first offered it because it was framed in such a way as to put a person in a position of almost having to plead guilty in order to get a smaller period of time of suspension, but the way the bill is drafted now, suppose a person is found innocent? The bill, as drafted, with what Senator Wesely calls the compromise does not allow the ceasing of proceedings as I read that new language if the person is found innocent, but only if found guilty or if the person pleads guilty. So I'd like to ask Senator Wesely a question now that he knows what my area of concern is.

PRESIDENT: Would you respond, please?

SENATOR CHAMBERS: Senator Wesely, first of all, do you agree that this language called compromise language on next to the last page of the Final Reading bill mandates that the proceedings be dismissed? You know, that is the section that it's talking about. Okay, I'll read the language. Are you with me?

SENATOR WESELY: Yeah.

SENATOR CHAMBERS: On page 14, except that the director shall dismiss all proceedings against the operator under this section upon receipt of a certified copy of the motor vehicle operator's conviction or plea of guilty to the misdemeanor charge of driving under the influence of alcohol in the county and so forth.

SENATOR WESELY: Mmm, hum.